

# TRANSMITTAL FORM

Application Number	09/821,509
Filing Date	March 29, 2001
First Named Inventor	James J. Lu
Group Art Unit	2614
Examiner Name	Benny Q. Tieu
Attorney Docket No.	SNS-010
Patent No.	7,158,627
Issue Date	January 2, 2007

## ENCLOSURES (check all that apply)

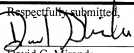
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## SIGNATURE BLOCK

Date: February 13, 2007  
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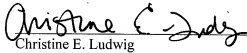
Respectfully submitted,  
  
David G. Miranda  
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***IN THE UNITED STATES PATENT AND TRADEMARK OFFICE***

APPLICANT: James J. Lu  
PATENT NO.: 7,158,627 GROUP NO.: 2614  
ISSUED DATE: January 2, 2007 EXAMINER: Benny Q. Tieu  
TITLE: Method and System For Inhibiting Softswitch Overload

***CERTIFICATE OF ELECTRONIC TRANSMISSION***

I hereby certify that this correspondence, and any document(s) referred to as enclosed herein, are being filed electronically on this 13<sup>th</sup> day of February, 2007.

  
Christine E. Ludwig

Office of Publication  
United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

Submitted herewith is:

- Application for Patent Term Adjustment Under 37 CFR § 1.705 (3 pages)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANT:	James J. Lu	GROUP NO.:	2614
PATENT NO.:	7,158,627	EXAMINER:	Benny Q. Tieu
ISSUE DATE:	January 2, 2007	CONFIRMATION NO.	5222
TITLE:	Method and System for Inhibiting Softswitch Overload		

Office of Publication  
FAX number 703-746-4000  
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P.O. Box 1450  
Alexandria, VA 22313-1450

**APPLICATION FOR PATENT TERM ADJUSTMENT UNDER 37 CFR §1.705**

Sir/Ma'am:

Applicant respectfully submits this Application for Patent Term Adjustment under 37 CFR §1.705(b) for review of the patent term adjustment (PTA) determination for patent number 7,158,627, for which a Notice of Allowance was mailed on October 28, 2005. It is the Applicant's understanding that the 1147-day adjustment may be reduced under 37 CFR §1.704(c)3. The calculation pertaining to the time interval in question under the criteria set forth under 37 CFR §1.704(c)3 is 238 days. Applicant submits for review that the PTA may be reduced to 909 days as indicated in 37 CFR §1.704(c)3.

Applicant provides herein a statement of the facts involved specifying the adjusted PTA and the relevant dates for the adjustment.

Applicant's Statement

Under 37 CFR §1.704(c), when calculating the PTA adjustment, particular circumstances are delineated that are considered to constitute a failure of the Applicant to engage in reasonable efforts to conclude processing or examination of an application and that result in a reduction of the period of PTA adjustment set forth in 37 CFR § 1.703. The specific circumstances, which are set out in subsections of 37 CFR §1.704(c), include in part, paragraph 3, which reads:

- (3) Abandonment of the application or late payment of the issue fee, in which case the period of adjustment set forth in §1.703 shall be reduced by the number of days, if any, beginning on the date of abandonment or the date after the date the issue fee was due and ending on the earlier of:
  - (i) The date of mailing of the decision reviving the application or accepting late payment of the issue fee; or
  - (ii) The date that is four months after the date the grantable petition to revive the application or accept late payment of the issue fee was filed;  
(emphases added)

A Notice of Abandonment was mailed on March 28, 2006 in the above referenced application. Applicant subsequently filed a Petition to Withdraw Holding of Abandonment under 7 CFR §1.181 that was entered on May 31, 2006, which was then dismissed. Applicant further submitted a Petition for Revival of an Application for Patent Abandoned Unavoidably under 7 CFR §1.137(A) that was entered on August 15, 2006 and subsequently accepted on November 21, 2006. Thus the time period as indicated under 37 CFR §1.704(c)(3)(i) begins on March 28, 2006 and ends on November 21, 2006, which amounts to 238 days.

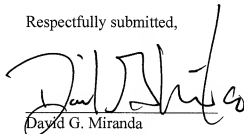
In view of these facts Applicant submits for review that the PTA may be reduced by the 238 days under 37 CFR §1.704(c)(3)(i) .

**CONCLUSION**

Applicant provides above herein a statement of the facts for reviewing the PTA, including the relevant dates and the alternative PTA adjustment.

Applicant respectfully submits no fee is required since the Applicant is pointing out a possible error by the USPTO that could result in a reduction of the PTA. If the fee of \$200.00 for filing an application patent term adjustment is required irregardless, please charge the Applicant's Deposit Account No. 50-3081.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'David G. Miranda', is written over a horizontal line.

David G. Miranda  
Attorney for the Applicants  
Proskauer Rose LLP  
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Boston, MA 02110

Date: February 13, 2007  
Reg. No.: 42,898

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